

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred House Bill No. 1167, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT concerning asbestos.
- 3 Delete everything after the enacting clause and insert the following:
- 4 SECTION 1. [EFFECTIVE UPON PASSAGE] **The general**
- 5 **assembly urges the legislative council to assign to an interim or**
- 6 **statutory study committee the topic of liability for asbestos related**
- 7 **illnesses. If a committee is assigned the topic recommended for**
- 8 **study by this SECTION, the committee shall consider the**
- 9 **following:**
- 10 (1) **The appropriate period of repose or limitation for an**
- 11 **action concerning liability for asbestos related illnesses, in**
- 12 **light of current medical understanding of mesothelioma and**
- 13 **other asbestos related illnesses.**
- 14 (2) **Which persons involved in the production, manufacture,**
- 15 **sale, use, or installation of asbestos and asbestos containing**
- 16 **materials should be held liable for asbestos related illnesses.**
- 17 (3) **Which persons suffering from an asbestos related illness**
- 18 **should be eligible to bring an action based on the asbestos**
- 19 **related illness.**
- 20 (4) **How many and which Indiana companies may be subject**
- 21 **to civil liability based on an asbestos related illness.**

- 1 **(5) How many victims of asbestos related illnesses reside in**
2 **Indiana, how these victims were exposed to asbestos, and**
3 **which asbestos related illnesses the victims have contracted.**
4 **(6) The availability and effectiveness of workers'**
5 **compensation for victims of asbestos related illnesses.**
6 **(7) Funding with respect to programs to benefit victims of**
7 **asbestos related illnesses.**
8 **(8) Any other issue related to liability arising from exposure**
9 **to asbestos.**
10 **SECTION 2. An emergency is declared for this act.**
 (Reference is to HB 1167 as reprinted January 30, 2009.)

and when so amended that said bill do pass .

Committee Vote: Yeas 9, Nays 0.

Senator Steele, Chairperson